

United States District Court  
District of Massachusetts

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United States of America,	)	
	)	
v.	)	
	)	Criminal Action No.
Vincent Michael Marino,	)	97-40009-NMG-10
	)	
Defendant.	)	
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MEMORANDUM & ORDER

GORTON, J.

Pending before the Court is a motion filed by pro se Vincent Michael Marino ("Marino") to reduce his term of imprisonment pursuant to 18 U.S.C. § 3582(c)(1)(A)(i) (Docket No. 2561). Section 3582(c)(1)(A) provides that

the court, upon motion of the Director of the Bureau of Prisons, or upon motion of the defendant after the defendant has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant's behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant's facility, whichever is earlier, may reduce the term of imprisonment . . .


There is no indication that Marino has exhausted all (or any) of his administrative rights with respect to the issues raised in his motion. Although Marini has filed many motions for compassionate release before, "[s]uccessive compassionate release motions must independently satisfy the exhaustion requirement." United States v. Cain, 2021 WL 388436, at \*4 (D.

Me. Feb. 3, 2021); see also United States v. Amparo, No. 19-CR-10004-ADB, 2020 WL 7130003, at \*2 (D. Mass. Dec. 4, 2020) (applying § 3582 exhaustion requirement to a second compassionate release motion and denying motion with leave to renew).

**ORDER**

Marino may renew this motion, if warranted, after he has complied with the administrative exhaustion requirement of § 3582. In the meantime, the motion is **DENIED** with leave to renew.

**So ordered.**

  
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Nathaniel M. Gorton  
United States District Judge

Dated: September 12, 2023